

REMARKS

Applicants have canceled claims 39-41 without prejudice.

Applicants appreciate the Examiner's allowance of claims 18-20 and the indication that claims 6-13, 15, 21, 22, 40 and 41 would be allowable if rewritten in independent form.

Claim 21 is objected to by the Examiner under 37 CFR 1.75(c) as allegedly being in improper form. Applicants respectfully disagree with the Examiner's assertion and traverse the objection. Claim 21 is a multiple dependent claim referring to claims 1 and 15 in the alternative, as required by 37 CFR 1.75(c). Neither claim 1 nor claim 15 is a multiple dependent claim. Therefore, claim 21 is in proper form. The claim objection should be withdrawn.

Claims 1-5, 14, 15 and 39 are rejected by the Examiner under 35 USC 103(a) as allegedly being obvious over U.S. Patent No. 6,661,030 to Komoto et al. ("Komoto") in view of U.S. Patent No. 6,756,731 to Sano ("Sano"). Applicants have canceled claims 39-41. Thus, the rejection with regard to claim 39 is moot. Applicants respectfully traverse the rejection with regard to claims 1-5, 14 and 15.

Komoto discloses a light emitting device or image display including a fluorescent material as a wavelength converter for converting a wavelength into another. However, as admitted by the Examiner¹, there is no disclosure in Komoto regarding the makeup of the fluorescent coating material, as recited in claims 1-5, 14 and 15. The Examiner alleges that Sano, in columns 5, 6, 10 and 11, discloses the required makeup. Applicants respectfully disagree.

¹ Applicants note that, on page 3 of the Office Action, the Examiner states that "Komoto et al. disclose the make-up of the fluorescent material." This appears to be an error because the Examiner not only immediately follows by alleging that Sano discloses the required makeup, but also uses the combination of Komoto and Sano to reject the claims. Therefore, Applicants assume that the Examiner had meant to say, on page 3, "Komoto et al. do not disclose the make-up of the fluorescent material." Acknowledgement by the Examiner on this point is respectfully requested.

Claims 1-5, 14 and 15 all specifically recite that the coating layer comprises not only an oxide including one or more specific elements, but also a hydroxide including one or more specifically cited elements. The specification also discloses such a specific composition for the coating layer, for example in paragraphs 0012 and 0071.

Sano, however, does not disclose or suggest a coating material that comprises a hydroxide. Sano discloses that the coating material is made of a solid metal oxide, which is formed through sol-gel reaction of a metal alcoxide. Sano at col. 5. Although a metal hydroxide is formed as an intermediate compound in the sol-gel reaction, Sano at col. 5, Sano does not disclose or suggest that the intermediate is left in the final product, the coating material. Indeed, Sano specifically teaches and/or suggests that the residual OH groups of the hydroxide intermediate be completely reacted in the coating material:

When the polysiloxane 801 is applied to the base (3, 4, 11) and dried, the volume of the sot contracts or shrinks because the solvent, water and ethyl alcohol produced by the reaction are evaporated, and as a result the residual OH groups at the ends of adjacent polymers are bonded to each other due to the dehydration reaction with condensation to cause the coating to be gelled or solidified. Subsequently, the gel coating obtained is baked to strengthen the bonds between the polysiloxane particles and finally form a gel coating having a high mechanical strength. Sano at col. 5, lines 35-44.

Therefore, Sano not only fails to disclose or suggest the specific coating material composition as recited in claims 1-5, 14 and 15, it actually teaches away from the claims by teaching specifically that the final coating material dose not contain an OH group, or a hydroxide.

Based on the above, Applicants submit that Komoto and Sano, whether alone or in combination, do not disclose or suggest subject matter recited in claims 1-5, 14 and 15. Sano, in particular, actually teaches away from the claims. Therefore, the rejection based on Komoto and Sano should be reconsidered and withdrawn.

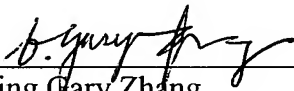
Applicants further submit that all pending claims are now in condition for allowance, early notice of which is respectfully solicited.

In the event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to

Deposit Account No. 03-1952 referencing docket no. **204552030000**.

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